

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>Case No. 8:13CR105</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>-vs-</b>	)	<b>MOTION TO FILE UNDER SEAL</b>
	)	
<b>TIMOTHY DEFOGGI,</b>	)	
<b>Defendant.</b>	)	

COMES NOW attorney for Defendant and pursuant to Filing 145,  
respectfully requests this Honorable Court allow him to file Defendant's Notice to  
Introduce Classified Materials at Trial under seal as it contains information that  
should not be released to the public.

Respectfully submitted,  
Timothy Defoggi, Defendant

/s/ John S. Berry  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon Michael Norris, Assistant U.S. Attorney and Keith A. Becker, U.S. Department of Justice, by electronically serving a copy of the same to both via CM/ECF, on this the 17<sup>th</sup> day of June, 2014.

/s/ John S. Berry  
John S. Berry, #22627